

Application Number	Date of Appln	Committee Date	Ward
133148/FO/2022	4th Apr 2022	22nd Sep 2022	Charlestown Ward

Proposal Erection of a retail foodstore (Class E) with new vehicular access / egress to Victoria Avenue East, new internal vehicular access road, car parking, servicing area, and hard and soft landscaping, following demolition of existing structures, alongside the creation of a new vehicular access and egress for the adjacent sports facility.

Location The Imperial Lounge, Victoria Avenue East, Manchester, M9 7HW

Applicant Mr Adam Robson, Aldi Stores Ltd, C/o Agent

Agent Mr Daniel Brown, Avison Young, Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

Executive Summary

The proposal is for the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures, alongside the creation of a new vehicular access to the adjacent sports facility. It is proposed that the store is operated by Aldi.

In response to the application as originally submitted, 14 representations have been received. 1 in support, 1 neutral and 12 of which object to the proposal. Following revised information and a further period of renotification, 4 additional representations have been received objecting to the proposal.

Key Issues

-The existing restaurant building could lawfully change to retail without the need for planning permission, as both uses fall within the same use class – Class E. This should be considered as a material consideration given the uplift in proposed retail floorspace.

-The application site relates to accessible, brownfield land and would offer favourable regeneration to provide appropriately scaled economic development which would create a range of local employment opportunities.

-The proposed redevelopment has the potential to bring about significant economic, environmental and visual improvements by replacing what is currently underutilised brownfield land with a modern foodstore development. Such development would improve the appearance of a prominent site adjacent to a key arterial route.

-The western section of the site contains a small area of landscaping associated with the North Manchester Rugby Club but does not contain a rugby pitch and is surplus to their requirements. In return for its inclusion in the scheme, a small piece of land which currently comprises car parking associated with the existing restaurant use on

site is proposed to be transferred to the rugby club in order to benefit the rugby club site.

-The application has been considered by both TfGM and Highways Services. Subject to necessary off-site highway works, no significant issues are raised.

Description

The application site relates to the Imperial Lounge Restaurant – a part single, part two storey building situated on the northern side of the main east-west arterial route of Victoria Avenue East. The site incorporates large areas of hard standing used for parking and access, as well a small area of tree planting to the north-western corner.

The site also includes a small amount of surplus land associated with the adjacent rugby club's playing fields immediately to the east which is proposed to form a relocated vehicular access.



View of the existing building from Victoria Avenue East

The existing building is presently vacant and comprises a restaurant (Class E) with a large car park to the rear.

In terms of the site's immediate surroundings, the area can be described as mixed use in character, with residential properties predominating to the south and east and notably to the opposite side of Victoria Avenue East.

To the north is a landscaped strip, beyond which is the M60 motorway, whereas to the south are two-storey detached and semi-detached dwellinghouses.

Adjacent to the eastern boundary is a sports facility occupied by North Manchester Rugby Club and the Assheton Bowmen. This comprises grass playing pitches predominantly used for rugby and an associated clubhouse.

Immediately to west is an existing, part 4, part 5 storey residential apartment building, beyond which is a gym (Pure Gym) and their associated car parks. These share the

same vehicular access point as the existing restaurant via an access route off Victoria Avenue East.

The Proposal

Planning permission is sought for the erection of retail foodstore (Class E) to be operated by Aldi, following demolition of the existing structures, together with a new vehicular access off Victoria Avenue East, new internal vehicular access roads, associated surface level car parking, cycle parking, servicing area, and hard and soft landscaping. The proposed store has a gross internal area (GIA) of 1884 sqm, with a net sales area of 1331 sqm.

The proposal incorporates a relocated vehicular access and egress off Victoria Avenue East and involves the use of an area of surplus land associated with the neighbouring rugby pitch situated immediately to the east.

In part compensation, the proposal also includes a land transfer involving an extension of the existing playing fields at the north-western corner of the playing fields, as well as the relocation of boundary fencing to the playing fields, the addition of ball strike netting and the relocation of floodlighting.



View of proposed development from Victoria Avenue East (CGI provided by the applicant)

The current proposal represents a slightly revised design to that originally submitted with revised details submitted in relation to the landscaping and increased tree planting. Additionally, further technical reports have been received in relation to daylight/sunlight analysis and an updated noise assessment relating to servicing activities.

Planning History

Relevant planning history is provided below.

053327/FO/NORTH1/97

Development of retail (Class A1) and a pub/restaurant (Class A3) with related vehicular, cycle & pedestrian access, servicing, car parking and landscaping.
Approved 24 March 1998.

048529/00/NORTH1/95

Development of retail (Class A1) and a pub/restaurant (Class A3) with related vehicular, cycle & pedestrian access, servicing, car parking and landscaping.
Approved 18 January 1996.

Consultations

Local Residents/Occupiers

In response to the application has originally submitted, 14 representations have been received. 1 in support, 1 neutral and 12 of which object to the proposal.

Principal comments are summarised below:

- The proposed store will be beneficial to the local economy and useful for local people who do not drive.

- It is believed that most local people are broadly in support of the proposal, but concerns are raised in relation to impact during construction, local traffic congestion and whether it would be beneficial to see some common arrangements developed between Eastgate residents and ALDI in respect of use of the carpark, such as overflow visitor and/or out-of-hours parking and preferential electric car charger use for residents overnight.

- The proposed roofline of the proposed store could harmfully impact daylight/sunlight to the neighbouring residential apartments at Eastgate.

- Strong concern is expressed about the siting of the Puffin Crossing adjacent and its relationship with an adjoining property. It is considered that crossing will impede access from an adjoining driveway and the noise and disturbance caused by intermittent beeping from the crossing signals and increased pedestrian activity would have a harmful impact to residential amenity. Further concern is raised about the impact to local air quality and health and times when vehicles are stationary at the crossing.

- The proposed store will lead to increased traffic and that increased pedestrians in the area would undermine the security of nearby properties.

- It is questioned whether another supermarket is needed in the area.

- The proposed store will increase traffic congestion and noise in the area.

- There is concern that the piling during construction will cause structural damage to nearby property whilst also causing increased dust, noise and disturbance.

-Concerns are raised in relation to noise levels when the store is serviced at unsociable hours.

-The traffic uplift will cause localised congestion and have a negative environmental impact. The increased congestion will be compounded by the existing congestion at peak times which is greatly contributed by the start/end times of the school day and will have a greater impact to the congestion caused at the nearby Greengate roundabout. Specifically, it is anticipated that the store could result in a hazardous right turn which has the potential to cause traffic accidents and further congestion on Victoria Avenue East.

-It is urged that a longer and more in-depth study surrounding the impact to the operation of the Greengate roundabout is carried out to assess the impact upon traffic flow, with a view to easing congestion.

-There should be engagement with TfGM to address the operational intervals and disconnect of local bus services to the proposed store.

-The proposed pedestrian crossing will result in a loss of parking to adjoining properties.

-The current plans show a poor landscape arrangement which will impact the environment and local aesthetics. Better landscaping would offset the carbon dioxide emissions created by extra traffic.

-It is questioned whether the applicant has provided detail of their social corporate responsibilities such as a children's play area or other recreational facility on the adjoining playing fields,

An objection has also been received from a rival retail operator. Concerns are raised about the loss of open space, contrary to policy EN10 of the Core Strategy, as well as concerns relating to the proposed site layout. It is considered that the existing site and access could accommodate the proposed store and parking area without impacting upon the neighbouring sports club boundary.

In addition, 129 letters of support have been received via a strategic PR consultancy. Support is expressed about bringing local jobs to the area, whilst improving the local shopping function of the area and by increasing shopping accessibility.

Following receipt of revised and updated information and a further period of renotification, a further 4 representations have been received. Comments are summarised below:

-The proposal will lead to increased traffic and potential for 'rat running' via Hinchley Road to avoid the roundabout. It is questioned what measures are to be put in place to avoid this.

-The siting of the proposed Puffin crossing will create a hazard opposite the adjacent driveway, whilst causing disturbance to adjacent occupiers. It is questioned why the crossing cannot be located opposite the store entrance

-It is requested that there is an independent assessment of the noise levels and light changes created by the development. Details should also be provided as to the store opening times and what restrictions will be in place for delivery vehicles.

-More information regarding the position of the new access to the sports field gate should be provided. An independent survey to examine the possible traffic delays that residents of Eastgate might experience should be provided.

-The plans state that all the trees will be removed from the site opposite Eastgate, even though these trees are mostly healthy. This will mean that residents will go from having a garden view to a road view. It is questioned whether there are plans to put some planting back in to make this more aesthetically pleasing.

-More information on construction activities and noise and disturbance is required.

-Provision for services for Eastgate residents when the shop is closed should be provided. For example, out of hours use arrangements for the electric car chargers and visitor parking. There should also be a commitment to the easements and access during the works and beyond when the site is operational for Eastgate residents.

Victoria Avenue East Residents Group

In summary, the following comments are made:

-The road is already incredibly noisy. This was made worse when it was re-laid a few years back, leaving several dips outside some of the adjacent properties.

-The addition of the store will increase the flow of traffic in the constant guise of traffic and delivery lorries. The vibrations will make it very difficult for residents to be able to relax in their own homes. Given that there will only be one way in and out of the proposed store, this will make it more untenable and relentless.

-Given that the proposed store will be open 7 days a week, there are concerns surrounding the impact as a result of light and noise pollution. It will also create more litter and a heavier pedestrian footfall.

-The proposed crossing will block adjacent driveways, decrease privacy and cause increased noise to adjacent residents due its location and pedestrian footfall. The addition of the zig zags would make people start to double park or move a few doors up, making the road more congested with parked cars. Residents there may not be able to open up and expand their driveways. It is suggested that a better location would be further towards Pure Gym towards the corner with Hinchley Drive.

-A benefit of the Aldi store would be that there will be no more parties from the Imperial Restaurant which have been incredibly loud and resulted in antisocial in the past. The proposed store will also be of local convenience for shoppers.

-Traffic congestion will make it more difficult for residents to access their driveways.

-It is questioned whether there are any assurances that the proposed store and car park will reduce antisocial behaviour and whether it will be monitored when closed. It is also requested that the immediate surroundings or front of the store be more aesthetically pleasing with more greenery/trees etc.

-Information is requested in relation to the demolition/build timescales and what impact this will have on the residents.

Sport England – An objection was initially lodged with respect to the proposal based on insufficient information provided to demonstrate that the proposal can meet any of the Exceptions to Sport England's Playing Fields Policy and paragraph 99 of the NPPF.

Further information was considered to be required to enable the objection to be withdrawn. Namely:

-Details of the works required to the 162sqm of land to be brought into use as playing field. The schedule of works should be prepared and undertaken by a sports turf specialist and in accordance with Sport England's 'Natural Turf for Sport' guidance. This could be dealt with via condition if required.

-There is an overall quantitative loss of approximately 1,278sqm of playing field land as a result of the proposed development. It does not appear feasible to provide a new area of playing field land within the site and therefore Sport England would consider qualitative improvements to the two rugby pitches in lieu of a quantitative replacement in this case. A schedule of works should be prepared and carried out by a sports turf specialist and in accordance with Sport England's 'Natural Turf for Sport' guidance. This could be dealt with via condition if required.

-Ball Trajectory Assessment to inform the type, height and location of ball stop netting required. The location of the ball stop netting should be on the developers side of the boundary and be managed and maintained by the developer or their appointed management company. This is to comply with paragraph 187 of the NPPF (agent of change principle).

-Details of the location of the relocated sports lighting and type of sports lighting heads. The lux levels will need to comply with RFU requirements and that element should be discussed with the RFU.

-Details of the works to the land drains as cited in the Rugby Clubs letter in Appendix 1 of the Planning Statement.

-Details of how the works required to the Rugby Club will be secured given this area falls outside of the applications red line boundary.

-Any works to the Rugby Club will need to be implemented prior to loss of any part of the playing field.

In response, the applicant submitted details and a response to address the concerns raised.

These relate to qualitative improvements to the wider rugby club site to mitigate the loss of natural turf playing field.

Sport England consider that as the loss of playing field is along the periphery and does not affect the continuity of use to the rugby club then such measures are considered acceptable in principle, although a full schedule of works will be required by the inclusion of an agreed condition/s – specifically with regard to the playing pitch ground conditions. The objection has subsequently been removed.

Highway Services

It is noted that the site is located adjacent to the adopted highway of Victoria Avenue East. An existing unadopted access is in place to provide access into the existing car park. The site is currently occupied by a bar/restaurant with 97 car parking spaces.

The following comments area made:

Trip Generation and Junction Capacity

HFAS (Highway Forecasting and Analytical Services) and UTC (Urban Traffic Control) were consulted in relation to the trip generation and junction capacity assessments.

TfGM HFAS are satisfied that the existing and new development trip rates are acceptable.

The trip split is acceptable with 50% of trips defined as new. The trip distribution calculations are acceptable.

It should be noted that TfGM UTC were commissioned to model Greengate Roundabout and the results appear to have been accurately reported in the TA. The development flows do not cause significant congestion.

TfGM UTC have had previous discussions regarding this scheme and agreed that there are no simple solutions to improve the operation of Greengate Roundabout, so the applicant have agreed to pay £45K to fund CCTV at the roundabout. Highways agree with this approach.

Highway Safety

There are no concerns about highway safety issues within the vicinity of the site.

Site Accessibility

The site is well accessed by sustainable modes, with regular bus services routed along A6104 Victoria Avenue East which provides connections to Royal Oldham Hospital, Harpurhey, Monsall, Oldham, Higher Crumpsall, Middleton and Higher Blackley. Further bus stops are in place on Greengate which provide connections to Piccadilly Gardens and Alkrington.

The closest railway station is located at Moston and provides connections to Rochdale and Clitheroe.

Off-site Highway Works

It is understood that the site will remain unadopted.

The existing vehicular access to the site off Victoria Avenue East will be closed and full height kerbs and footway will be reinstated. It is understood that part of this work will be undertaken on the adopted highway. Therefore, work to the existing access will need to be done as part of a Section 278 agreement.

The existing pedestrian crossing on Victoria Avenue East will be replaced with a signalised crossing. The removal of the existing crossing will require the existing pedestrian guardrail to be extended. This is acceptable to Highways.

Additionally, a staggered puffin crossing is proposed on Victoria Avenue East within the vicinity of the proposed foodstore and existing residential apartments. The plans are acceptable to Highways and TfGM in principle. The installation and commuted costs will have to be wholly funded by the applicant. The puffin crossing arrangement should be included in the conditions of any planning consent.

A new vehicular access to the site will be included in the proposals. This will be situated 25 metres to the east of the existing access point. The access will be in the form of a T-junction.

The road markings and right-turn bay along Victoria Avenue East will also need to be reconfigured to line up with the new access. This should be undertaken as part of a S278 agreement.

There will be designated pedestrian routes within the development site to ensure there are safe routes for pedestrians in the car park. A pedestrian crossing will be provided within the car park along key desire lines.

The application also proposes minor works to the adjacent sports club facility. The works will include the construction of a new vehicular access and egress which will be taken from the proposed foodstore vehicular access/egress. These proposals will impact on the adopted highway and as such a Section 278 agreement will again be required.

Parking and Access

The proposals will include 119 parking spaces for the proposed foodstore. Of these 8 will be accessible, 9 parent and child and 4 EVC.

The car parking area and access road to the residential apartments and gym will be reconfigured as part of the proposal. New road markings and slow signage will be installed. The access road to the residential and gym is clearly defined within the site.

There will be areas of public realm throughout the foodstore site and pedestrian walkways will be in place to provide access to/from Victoria East. Although, these are located within the red line boundary of the site and not adopted. It is recommended that the footways are 2 metres wide to provide enough space for pedestrians to pass on another.

EV Charging

4 of the 119 parking spaces will be EVC with below ground infrastructure installed to provide an additional 20 EVC in the future. This is acceptable.

It is requested that the usage of EVC parking spaces is monitored as part of a Travel Plan

Cycle Parking

14 short-stay cycle parking spaces will be in place in the form of 7 Sheffield cycle loops for customers, whilst long-term cycle parking will be in place within the warehouse for staff. The visitor cycle parking spaces will be sheltered by the stores canopy and situated close to the entrance of the store providing visibility from the store and car park.

It is requested that cycle parking use is monitored as part of the Travel Plan.

Following receipt of revised details, the cycle parking arrangement is considered acceptable.

Boundary Treatment

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.]

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

Servicing

Servicing of the site will take place via the customer access point off Victoria Avenue East. Service vehicles will access the site via Victoria Avenue East to the service dock situated in the north-west corner of the site. Service vehicles will not access the customer car park, which is welcomed by Highways.

It is anticipated that four 16.5m articulated vehicles will access the site per day and a daily milk collection and bin collection will be undertaken daily by a rigid vehicle.

All vehicles will enter and exit the site forward gear. Tracking for a 16.5m refrigerated articulated vehicle has been undertaken. The swept path shows that vehicles can access the site access, manoeuvre around the site to the service ramp safely. This is acceptable to Highways.

Marshalls will be in place to guide pedestrian safely around the site when servicing vehicles are reversing and manoeuvring. This is welcomed by Highways.

It is requested that servicing take place outside of peak hours to reduce congestion. It is requested that a Service Management Strategy is produced and submitted for the proposed foodstore.

Travel Plan

A framework Travel Plan has been produced. A full Travel Plan is to be completed within six month of the occupation of the site. The objectives, targets and indicators, management strategy, measures to encourage sustainable travel, marketing strategy and monitoring and review from the Framework Travel Plan will be included in the Travel Plan. This is acceptable to Highways.

Construction Management

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction.

Environmental Health

Conditions are requested in relation to construction/demolition management, hours of use, servicing hours, external lighting, noise management, acoustic insulation, external plant equipment, ground conditions, air quality and waste management.

Flood Risk Management

A condition is required which requires the submission and agreement of a surface water drainage scheme and for its subsequent maintenance.

United Utilities

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by the proposal and to demonstrate the exact relationship between any United Utilities' assets and the development proposed.

It is recommended that the application is not progressed further until the exact location of the water main asset is confirmed and so that the implications for the proposed site layout can be fully understood and redesigned if necessary prior to determination.

As the submission has identified, development is proposed close to, or potentially over, a United Utilities water main, the applicant must provide clarity on the exact location of the asset to ensure it will not be directly built over.

Conditions are advised in relation to the protection of sewer assets, foul and surface water drainage and its subsequent maintenance.

Cadent

No objection. An informative relating to the protection of their assets is requested.

Work & Skills Team

A condition requiring a construction and an end use/operational agreement for local labour is requested.

Greater Manchester Police (Design for Security)

The application is supported subject to the layout issues within Section 3.3 of the submitted Crime Impact Statement being addressed and the physical security measures within Section 4 being implemented.

Greater Manchester Ecology Unit

In response to the application has submitted, it is considered that whilst there are no significant ecological issues associated with the site. The site consists primarily of hardstanding with small areas of amenity grassland, with the M60 forming a significant ecological barrier to the north

There does however appear to be a net loss of biodiversity.

The proposed layout shows an increase in the area of hardstanding and built form, with a net loss of trees and a species of lower ecological value for replacements and a net increase in ornamental planting. This will result in a net loss of biodiversity.

Given the layout it is probably not possible to achieve net gain on site, but the landscape proposals could be improved through use of only locally native tree species. Currently the majority of species on site are Silver Birch - a high value local native species.

The only species of interest is likely to be nesting birds. A condition is advised which would prevent clearance works during the bird nesting season.

The submitted bat survey shows that the buildings proposed to be demolished were assessed as low risk and subject to dusk surveys in 2020 towards the end of the optimal period for dusk surveys. As the bat survey is becoming outdated, it is advised that if demolition does not commence before 30 April 2023, the buildings should be resurveyed for bats and the finding supplied to and agreed in writing by Local Planning Authority.

Following the submission of revised details, it is accepted that the landscaping has the potential to achieve no net loss of bio-diversity dependent on the planting schedule and it would be satisfactory if all trees were locally native and the hedge was a native species such as beech. This detail could be conditioned with a requirement for a revised planting schedule to be agreed.

The Coal Authority

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the application site is likely to have been subject to historic unrecorded coal mine workings at shallow depth associated with a thick coal outcrop. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The site also lies within a Surface Coal Resource Zone.

The Coal Authority considers that the content and conclusions of the submitted Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

Further, more detailed consideration of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Other matters

Consultation & Publicity

The proposal, by virtue of the number of units created has been classified as a small-scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development. A site notice has been displayed at the application site.

Environmental Impact

The development includes more than 1 hectare of urban development which is not dwellinghouse development and therefore meets the relevant threshold for screening against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Following an assessment of the information to support the application, the City Council considers that an Environmental Impact Assessment is not required.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in

Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) - refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) - states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EC1 (Employment and Economic Growth in Manchester) - looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy C1 (Centre Hierarchy) - Development of town centre uses will be prioritised within Manchester City Centre, District Centres, and Local Centres in order to maintain their vitality and viability, provide services as locally as possible and minimise the need to travel by car. Within North Manchester the district centres are defined as Cheetham Hill and Harpurhey, and the local centres are defined as Victoria Avenue/ Rochdale Road (Charlestown), Hollinwood Avenue/ Greengate (Moston), Lansdowne Road/ Crumpsall Lane (Crumpsall), Worsley Avenue/ Kenyon Lane (Lightbourne), Moston Lane (Harpurhey), and Collyhurst (as part of redevelopment).

Policy C8 (Local Centres) - Local shopping and service provision in local centres should be retained where it remains viable and provides an important service to the local community. The provision of new small scale retail facilities will be encouraged where they would provide for local every day needs and would not be harmful to the vitality and diversity of nearby centres.

Policy C9 (Out of Centre Development) - Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

- There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;

- The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the city centre and designated; district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,

- The proposal is appropriate in terms of its scale and function to its location.

Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

Policy T2 (Accessible Areas of Opportunity and Need) - states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Within the City Centre, development should provide a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities.

Policy EN1 (Design Principle and Strategic Character Areas) - relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN4 (Reducing CO₂ Emissions by Enabling Low and Zero Carbon Development) - concerns reducing CO₂ emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN6 (Target framework for CO₂ reductions from low or zero carbon energy supplies) - states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

Policy EN8 (Adaptation to Climate Change) - All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:

- Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rainwater permeability;

- Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways;

- The need to control overheating of buildings through passive design;

- The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation;

- Developers will be permitted to use green infrastructure elements such as green roofs, green walls, street trees and waterways to contribute to compliance with CO2 mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities) - The Council will seek to retain and improve existing open spaces, sport and recreation facilities and provide a network of diverse, multi-functional open spaces. Proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent replacement space will be provided in the local area or the site has been demonstrated to be surplus.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues state that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) - states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN19 (Waste) - states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Policy DC26 (Development and Noise) - states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

In addition, the below guidance and documents are also considered to be important material considerations.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Places for Everyone Greater Manchester Joint Development Plan (Draft August 2021)

The draft version of the Places for Everyone Joint Development Plan was published in August 2021 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. As this plan is at an advanced stage it would now be considered as a material consideration for planning applications.

The Manchester Green and Blue Infrastructure Strategy (G&BIS)

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities

will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Sections 4, 6, 7, 11 and 12 are considered relevant to the consideration of this application.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

Town centres and retail - Paragraph 91 states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests. This should ensure that any proposed main town centre uses which are not in an existing town centre

are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise.

Paragraph 9 states that the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.

Paragraph 15 states impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:

- Scale of proposals relative to town centres;
- The existing viability and vitality of town centres;
- Cumulative effects of recent developments;
- whether local town centres are vulnerable;
- Likely effects of development on any town centre strategy; and
- Impact on any other planned investment.

Paragraph 17 states that the impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.

Noise - Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other;
- form – the shape of buildings;
- scale – the size of buildings;
- detailing – the important smaller elements of building and spaces;
- materials – what a building is made from.

Air Quality – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Principle

The principle of the proposed development is considered acceptable and would make efficient use of a previously developed site to provide increased shopping choice for the local population, whilst providing environmental improvements and would contribute to the local economy through the creation of jobs.

Although the proposed store is situated within an out-of-centre location in planning policy terms, the applicant has demonstrated that there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable. The proposal would not have any unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and the proposal is appropriate in terms of its scale and function to its location.

The applicant has provided a Planning and Retail Statement which seeks to address the tests within policy C9 of the Core Strategy and justify the proposals in terms of sequential and impact tests set out within the National Planning Policy Framework.

The application proposals provide less than 2,500 sqm of retail floorspace so a full Retail Impact Assessment is not required by either policy C9 or the NPPF. The submitted Retail Statement is considered to be proportionate to the scale of the proposals and acceptable in scope and underlines that there is sufficient qualitative and quantitative need for the proposed store in this area.

Account should also be taken in terms of the fallback position as re-occupation of the existing building for an alternative commercial use is a realistic option.

With reference to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, a new broad '*Commercial Business and Service*' use class (Class E), was introduced, which incorporates a wide range of previous use classes including both restaurants (Class A3) and shops (Class A1).

As a result, the 'change-of-use' of the site's existing building from a 'restaurant' (Use Class E(b)) to 'shop' (Use Class E(a)) no longer constitutes an act of development. The unrestricted retail use of the existing building (915 sqm) could therefore be lawfully established without the need for planning permission. This represents an important material planning consideration given the modest uplift in proposed retail floorspace.

With reference to all these factors, the principle of the proposed development is considered acceptable and accords with relevant development plan policy and national planning guidance.

An appraisal of the more specific planning issues and the impact of the proposal upon its surroundings is outlined further below.

Redevelopment of the Site and Contribution to Regeneration

The existing buildings have been subject to transient occupancy and periods of vacancy over recent years, as well as attracting anti-social behaviour

It is considered that the proposed retail store will uplift the appearance and function of the wider site and regenerate an under used facility which could be otherwise left to deteriorate.

Employment and Contribution to the Local Economy

The proposed store would add to the diversity of shopping choice and increased competition in the area and provide a discount food store serving the local population. This would be beneficial to nearby residents.

Aside from creating employment during construction and through supply chains, a typical Aldi foodstore generally employs between 40 - 50 staff, delivering a significant boost to the local economy. These positions range from managers, administrative roles to store assistants and cashiers.

Aldi has also two of the most successful apprentice schemes and graduate programmes in the UK. Apprentices are trained to work in all parts of the business including at store, distribution, logistics and management level, as well as progression through to the Store Management Team.

In order to ensure these local labour benefits are delivered, a condition has been included which requires that the applicant enters into a local labour agreement to target local residents for employment and training opportunities generated by the development.

On this basis, it is considered that the proposed development would add positively to the local and wider economy.

Retail Impact

Due to the site's out-of-centre location, the application has been accompanied by an assessment of the retail impact, as a consequence of the proposed store.

Policy and guidance underlines that the scale and scope of retail assessments should be proportionate to the scale of development proposed and this is applied in this instance. Policy is also permissive of retail development outside of designated centres if the sequential and impact tests are satisfactorily addressed. As set out below, it is believed that the relevant policy tests have been met.

Sequential Site Assessment

The NPPF and Policy C9 of the Core Strategy require that the sequential approach to site selection should be applied to all development proposals for main town centre uses that are not in an identified centre and not in accordance with an up-to-date development plan. Applications for main town centre uses should be located within a town centre, then in edge-of-centre locations, and only if suitable sites are not available should out of centre sites be considered. The NPPF further requires that applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale.

In this case, the nearest centre is the local centre of Hollinwood Avenue, located approximately 800 to the east of the site. Due to the out-of-centre location of the proposed site, a sequential site assessment has been undertaken by the applicant which accords with an agreed catchment area based on a 5 minute drivetime. The drivetime is considered a realistic geographic area from which a foodstore will draw the vast majority of trade.

The assessment takes account of alternative sites that are located within or on the edge of existing centres which serve an equivalent catchment and which could accommodate the scale and form of the proposed development. It is therefore necessary to define any alternative sites that could accommodate the specific trading characteristics of a discount foodstore of the floorspace proposed and with an appropriate level of associated parking within a defined catchment area. The assessment should also make reference to Planning Practice Guidance which indicates that the application of the sequential test should be proportionate and appropriate for the given proposal.

The only centre within the defined catchment area is Hollinwood Avenue with Victoria Avenue local centre situated just beyond. No other centres within Manchester's retail hierarchy fall within the catchment area.

An assessment of site appropriateness has been undertaken in both of these areas and based on the scale, form and characteristics of the proposed store format, there are no other sites that are suitable, viable or available. It therefore stands that following a robust assessment of nearby sites, there are no sequentially preferable

site within or on the edge of the identified centres which could realistically accommodate the proposed store.

Retail Impact Assessment

The NPPF states that retail proposals not located within an existing centre should be assessed according to their impact (if any) on existing centres. Impact assessments should be provided for all proposals over 2,500 sqm when the proposal is not located within an existing centre and not in accordance with an up-to-date development plan.

Core Strategy Policy C9 states that the level of detail within impact assessments for proposals of less than 2,500 sqm gross floorspace should be proportionate to the scale and nature of the development proposed and its likely effects on designated centres. For all proposals of 2,500 square metres gross floorspace and over, a full assessment will be required.

Supporting policy text goes on to states that the impacts of out-of-centre development will vary across the city and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only.

In light of the above, as the proposal is less than 2,500 sqm a full, quantitative impact assessment is not required and the proposed store at 1,884 sqm is significantly below the relevant threshold.

Nevertheless, based on the supporting justification to Policy C9, account has been taken as to the qualitative impact of the proposed store.

In assessing the trading impacts of the proposed discount foodstore regard has been had to the approach advocated within Planning Practice Guidance when examining the diversion of trade. This uses a 'like affects like' principle with the reasonable assumption that a new discount foodstore will divert the majority of trade from equivalent surrounding food shopping destinations.

The applicant has provided an assessment of trading impact to surrounding mainstream foodstores and centres, taking account of both convenience and comparison retail goods expenditure

The analysis concludes that the proposed store is highly unlikely to result in a significant impact to the long-term trading performance of surrounding mainstream foodstores and with only limited trade diversion from existing centres and smaller shops and services.

The assessment includes a health check analysis of these areas in order to determine vacancy rates, environmental conditions and the current vitality and viability of any of the two identified, defined centres and shops will remain largely unaffected. There is no evidence to suggest that the role and function of these centres will abate following the introduction of the proposed foodstore and would therefore comply with the relevant policy and guidance.

On balance, it is not considered that the proposed store will give rise to any significant adverse impacts on these centres.

Disaggregation

The applicant has provided convincing evidence as to why the business functions of the proposed retail operator cannot be disaggregated. This is supported by a decision by the Secretary of State and Planning Inspectors that a single level retail operation is essential to the proposed business model and that consequently disaggregation cannot be achieved without the benefits of the discount format being lost. The Council are therefore satisfied on the basis of the proposed business model of the discount retailer, disaggregation would not be viable or feasible in this instance.

Conclusion

It is considered that the applicant has undertaken a robust and proportionate impact assessment and that there are no sequentially preferable sites, the proposed store can be satisfactorily accommodated without any significant effects upon existing retail operations within the identified catchment area, the store will not have a significant harmful impact upon the health of nearby centres and that there is sufficient capacity within the system so not to affect the viability of other operators.

It should also be noted that given the existing building, 915 sqm can already legitimately be used for unrestricted retail use and the current proposal would only result in a modest uplift of floorspace. Moreover, in this case the proposed operator (Aldi) does not provide the full retail offer. It provides a limited range of convenience and an ever-changing range of comparison goods and does not offer the range of services provided by the mainstream food retailers or smaller independent stores. As such, the impact is different than if a mainstream retail operator was to occupy the store.

It is believed on balance the proposed store is located within a sustainable location and that the addition of a discount retailer will add to consumer choice and quality of shopping provision in the area in which the site is located. On this basis, the retail impact is satisfactory.

Demolition of the Existing Buildings

The demolition of the existing building should not form a barrier to redevelopment. The present structure is considered to be of minimal architectural merit and its replacement with a modern retail store would offer significant public benefits by leading to environmental, social and economic improvements to the local area.

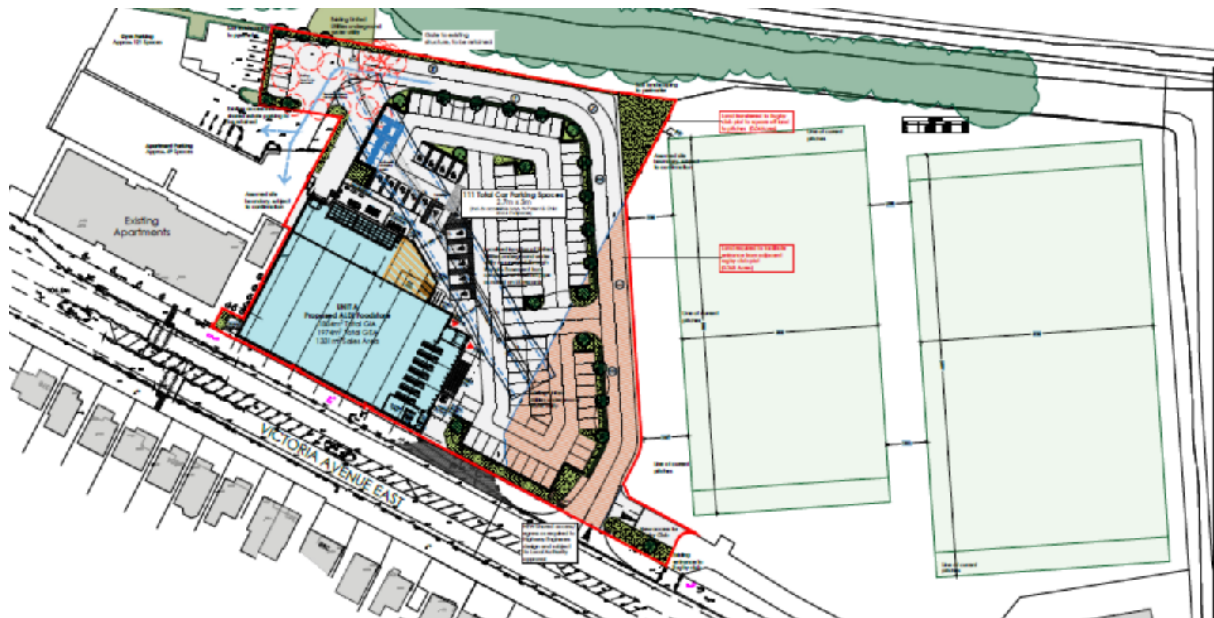
The replacement development will incorporate measures that will enhance energy performance and due its sustainable location will also reduce the need for local residents to travel for their food shopping.

Site Layout

The proposed building is focused to the front of the site to provide an active frontage onto Victoria Avenue East, as well as towards the site's new vehicular access road to the east. Along the northern edge (rear) of the building a plant and servicing area is proposed, screened by a timber fence.

To the rear is a 119 space car park accessed from a new vehicular access off Victoria Avenue East. The existing access is to be relocated slightly to the east to allow for improved access to the site. The new access route will circumnavigate along the eastern and northern boundaries of the site to provide a route not only for the proposed foodstore and its associated car park, but also to the neighbouring apartments and gym. The route will be maintained as a right of way at all times.

The eastern boundary of the site is to be extended and involves the use of an area of surplus land associated with the neighbouring rugby pitch situated immediately to the east.



Proposed site layout, including the neighbouring sports pitches

In part compensation, the proposal includes a land transfer involving an extension of the existing playing fields at the north-western corner of the playing fields.

The new boundary will allow a new access for the for the neighbouring rugby club into their existing pavilion and will include new fencing.

The wider site incorporates new elements of soft landscaping, involving ornamental shrubbery and tree planting, including areas to the southern perimeter fronting Victoria Avenue East and the new access road. This helps softens the appearance of the site and screens the car park from the road.

Design, Scale and Appearance

The proposed building is single storey, broadly the height of a typical two storey dwellinghouse and of a similar in height to that of the existing restaurant proposed to

be demolished. The building is roughly rectangular in shape and incorporates a flat roof.



Street-scene elevation when viewed from Victoria Avenue East

The building is of contemporary design, largely representative of Aldi's standard format adopted across the UK.

In terms of appearance, the building incorporates a material palette selected to be in keeping with the neighbouring residential apartment building and dwellinghouses opposite.

The materials comprise a combination of brickwork, glazing and composite cladding. Brickwork is proposed to the principal entrance which wraps around the side elevations and front elevations. Extensive glazing is proposed to the front and side elevations visible from Victoria Avenue East. This adds transparency and lightness to the built form and combines well with the brickwork and cladding whilst helping to reduce the appearance of the overall mass. Two types of brickwork is proposed along the southern (front) elevations which helps to further break up the built form with step in parapet height also incorporated.

At high level above the glazing are element of vertical plant cladding, set back in with the glazing to help break up the appearance of the elevations. The northern (rear) elevation incorporates a mixture of vertical and horizontal cladding.

To the north-eastern corner of the building, above the main entrance, is an aluminium canopy to provide shelter form the elements which also provides a focal point to the main point of access.

It is considered that on balance the proposed store is of a satisfactory, modern design quality that is sympathetic to the scale and appearance of the immediate area and which relates well to neighbouring buildings, assimilating effectively into the street-scene, whilst introducing vibrancy to this part of Victoria Avenue East.

Impact to the Highway

A Transport Statement accompanies the application which assesses trip generation, parking demand and highway safety, whilst acknowledging the highly sustainable location of the application site and how the site is accessibly located within close proximity to a range of transport modes.

Parking

The site currently contains 97 car parking spaces for the existing restaurant. As part of the reconfigured parking area 119 parking spaces are proposed for the proposed foodstore. Of these 8 will be accessible, with 9 parent and child spaces. 4 of the parking spaces will be for electric vehicle charging (EVC), with below ground infrastructure installed to provide an additional 20 EVC spaces in the future. This is considered acceptable.

Based on the survey work, involving a car park accumulation assessment, it is considered that based on the floorspace proposed the amount of parking provision is sufficient to cater for anticipated demand, including seasonal variations without the displacement of parking onto the local highway network. Highway Services are satisfied at the level of provision which accord with policy standards.

Trip Generation

Trip generation associated with the proposed foodstore has been estimated on the basis of comparable survey data contained within the industry standards TRICS database, with survey data for discount foodstores used to assess the likely traffic attraction of the proposed development. The assessment demonstrates that based on junction capacity and trip distribution, the level of traffic would not be material on the operational performance of the local highway network.

It is anticipated that the proposed store will create 160 two-way trips in the weekday PM peak hour and 202 in the Saturday peak hour, based on average trip rates and 223 two-way trips in the weekday PM peak hour and 282 in the Saturday peak hour.

Following discussions with TfGM a scheme has been identified to mitigate against the impact of the development at the nearby Greengate Roundabout. This would take the form of a traffic camera at the roundabout. This would provide some visibility at the junction which would enable engineers to make customised timing changes remotely when incidents or heavy congestion is reported. The proposal involves the funding for the installation of this camera.

Highway Services consider that with the proposed mitigation in place, the impact of the proposal as a consequence of trip generation would therefore not have a severe impact on the operational performance of the local or strategic highway network.

Access

It is proposed that the foodstore is accessed via a new 'T-junction' with Victoria Avenue East. This will replace the existing T-junction which is located approximately 25 metres to the west. The existing vehicular access to the site off Victoria Avenue East will be closed with the footway reinstated. The proposed access will take the form of a ghost island right turn priority controlled junction and includes an inset informal crossing position. The existing pedestrian crossing on Victoria Avenue East will be replaced with a signalised crossing which will require the pedestrian guard rail to be extended. A staggered puffin crossing is proposed on Victoria Avenue East, in the vicinity of the boundary between the proposed store and the neighbouring residential apartments.

Both the existing and proposed T-junctions also provide access to the neighbouring apartments and gym to the west of the site. The rugby club to the east of the site currently has its own vehicular access junction off Victoria Avenue East, but as part of the proposal the neighbouring rugby club will share the new T-junction with the proposed foodstore, gym and apartments. Off this junction will be a new access point to the east which will provide separate vehicular access to the rugby club. This means that the proposal will lead to there being one junction off Victoria Avenue East to replace the two which exist at present and will offer a safer access route to the rugby club in contrast to the existing narrow gated access point directly onto Victoria Avenue East which is used at present.

Servicing

Servicing of the site would take place via the customer access off Victoria Avenue East. Service vehicles will proceed along the access road on the eastern and northern boundaries of the site, to access the service dock. No service vehicles will enter the customer car park.

In terms of HGV access the assessment shows that HGV access to the site / service area has been designed to accommodate the required turning manoeuvres of the largest servicing vehicle in Aldi's fleet (a 16.5m articulated goods vehicle). A swept path analysis demonstrates that servicing vehicles and access and egress the the site safely in forward gear. This is considered satisfactory.

Highway Safety

Personal injury accident data suggests that there is no particular trend or pattern of road accidents in the vicinity of the site resulting from any deficiencies in the local road network, or the operation of the site.

Off-site highway Works

The proposed development will require a number of off-site highway works. These involve the closure of the existing site access of Victoria Avenue East, reinstatement of kerbs and footway, new dropped kerbs where appropriate, the creation of the new access, a new signalised crossing, extended guardrails, new road markings and the installation of CCTV traffic monitoring and Greengate roundabout. These measures have been provisionally agreed with TfGM and Highway Services.

The installation and commuted costs are to funded wholly funded by the applicant. An appropriate condition detailing the required measures has been included.

Cycle Parking

The site layout has been designed in a cycle friendly way to allow suitable permeability for pedestrians and cyclists. Based upon the standards contained within the Core Strategy cycle parking provision it to be provided at a level of one space per 140 sqm i.e. 14 cycle parking spaces in the form of 7 Sheffield cycle loops for customers, with long-term cycle parking proposed within the warehouse for staff. The

visitor cycle parking spaces will be sheltered by the stores canopy and situated close to the entrance of the store providing visibility from the store and car park. The level and type of provision is considered acceptable.

Travel Plan

A Framework Travel Plan accompanies the application and includes sustainability measures such as on-site infrastructure, connecting with the existing off-site infrastructure, sustainable travel initiatives and monitoring and targets. A condition has been included to ensure a more detailed Travel Plan to be agreed and ongoing compliance.

Conclusion

The Transport Assessment demonstrates that the proposal is not anticipated to have an adverse impact upon the safe and efficient operation of the existing local highway network both now and in the future. This is based on operational capacity assessments of various surrounding junctions.

Residential Amenity

The proposed development is situated within an established mixed-use location adjacent to the main east/west radial route of Victoria Avenue East. Immediately opposite the site are residential dwellinghouses and adjacent to the site to the east is a part four, part five storey apartment building.

Concerns have been raised by nearby occupiers that the proposed use will lead to increased noise and disturbance, particularly due to an uplift in traffic and pedestrian movements, including the use of a new pedestrian crossing on Victoria Avenue East.

Whilst it is acknowledged that due to the nature of the proposed use, both vehicular and pedestrian traffic will increase, it is not considered that the impact will be so significant so to undermine the living conditions of nearby occupiers.

The immediate area is already subject to a relatively high degree of activity, vehicle movements and background noise levels, as a consequence of existing operations, including a gym and the former restaurant, as well as through traffic along a key east/west road that links with M60 motorway.

Given existing environmental conditions it is not considered that there will be any significant impact in terms of noise and disturbance. The relationship of the proposed store with neighbouring residential dwellinghouses is not untypical and given existing background noise levels, the impact is not considered significant. Whilst concerns have been raised about noise generated from the use of the proposed pedestrian crossing, this would be short lived and comparable to groups of people using a pavement and stopping and chatting. The noise to alert people that it is safe to cross would be audible but, on a busy road in an urban environment would not cause such disturbance to warrant a refusal of planning permission. It is often the case that such crossings are located close by to residential properties and any impact would be outweighed by the benefits that the proposed store would deliver.

Qualitative factors should also be taken into account. The existing car park is already subject to frequent vehicle movements, including the route of the neighbouring 24hour gym. Immediately adjacent to the site are playing fields which regularly hosts rugby matches. The immediate area is therefore used to reasonable levels of activity. It is therefore believed unlikely that the operation of the store would be significantly harmful.

Perhaps the greatest potential for noise impact could arise from deliveries and the servicing of the proposed store. In particular, the relationship of the proposed loading bay and its proximity to the rear of the neighbouring residential apartment building.

The application has been accompanied by a noise assessment to assess the impact of the proposed development and considers the impact of operations, including servicing and external plant equipment. This has been supplemented by a more targeted assessment based on the background noise levels during earlier Sunday hours following concerns raised.

The overall assessment includes noise modelling to predict the noise levels at the closest sensitive receptors. The assessment concludes that the impact of fixed plant and deliveries would be low.

The assessment indicates that deliveries during both the daytime and night-time periods would be significantly below the level at which a 'low impact' would be expected, when assessed against relevant British Standards and would also comply with Council's noise criteria.

Based on the findings of the assessment, sound emissions from delivery activities can be sustained without significant, undue harm. As a safeguard an appropriate condition has been included to ensure the noise criteria is met

Further conditions have been included to control operational and servicing hours, as well as the need for a Noise Management Plan to ensure delivery activities cause minimal noise, particularly during earlier hours. It is believed with these safeguards, the impact to the local noise environment and existing background noise levels will be satisfactory.

In terms of the physical presence of the proposed store, it is not considered there would be any significant effects. Whilst there are residential dwellinghouses on the opposite side of Victoria Avenue East, the proposed development is only adjoined by residential properties on one side in the form of an apartment building along its western boundary.

A concern has been raised about the potential impact to the windows of this neighbouring apartment building in terms of loss of light.

It should be noted however that the proposed store is single storey and not likely to negatively impinge on residential occupiers in terms of any over-dominance, loss of privacy or overlooking. The building is comparable in terms of its scale and position to the existing building which the store seeks to replace, albeit slightly higher and closer to the back of pavement than the existing situation.

In response to the concern the applicant commissioned a daylight/sunlight study using industry standard methodology as prescribed by the British Research Establishment (BRE) and British standard guidance. The purpose of the report is to assess the potential impact that the proposed development may have on the neighbouring apartments in terms of daylight and sunlight – specifically, the side, south-east elevation that faces directly onto the proposed development and establishes the worst-case scenario. The assessment involves 26 windows most likely to be affected

The main criteria used in such analysis includes the Vertical Sky Component (VSC) which measures the general amount of light available on the outside plan of a window as a ratio (%) of the amount of total unobstructed sky viewable following the introduction of visible barriers such as buildings.

The relevant BRE recommendations for daylight and sunlight are for VSC, measured at the centre of a window and should be no less than 80% of its former value, where the window(s) do not meet this criteria. If the VSC at the centre of the window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.

Analysis also involves Annual Probable Sunlight Hours (APSH) which measures the amount of potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. BRE guidance states that windows should continue to receive in excess of 80% of their pre-development value or 25% of available hours over a year / 5% of hours in the winter to be considered well lit.

The report concludes that all window receptors tested meet the minimum criteria for sunlight hours both annually and in the winter months, therefore according with BRE guidelines.

22 out of the 26 windows tested meet and are in excess of the minimum requirements for levels of change in daylight and sunlight, with 4 windows only experiencing a minor impact in terms of loss of daylight.

As can be seen from the photograph below and as underlined by the submitted daylight/sunlight study, the windows most affected are those to the eastern elevation of the apartment building, some of which are already obscured by trees. Given that there is an existing building present next door and the proposed foodstore is sited approximately 8 metres away and is of a comparable scale, albeit with a greater forward projection, the impact upon daylight and sunlight is not anticipated to be dissimilar to the existing arrangement.



View of existing apartment building and existing restaurant to the right

It follows that the proposed development would give rise to no more than a minor, isolated impact. It is considered that the neighbouring building and its occupants will not be significantly affected by a loss of daylight and the impact of the proposed building is not so severe or unusual to have a serious impact upon living conditions. The identified impact is of a low level, outweighed by the social and economic benefits that the proposed development will deliver.

In terms of any effects from external lighting around the site, given the modern lighting specification and the relationship with the nearest residential buildings, light spillage is not anticipated to be an issue. A condition is however included to ensure that if any light glare is determined to be problem, this is capable of being rectified. A separate condition requires that the floodlights associated with the sports pitch to be agreed prior to their installation and will require light spillage analysis.

Sport Provision

The proposed development involves the use of some surplus land to the west of the rugby club, and in the club's ownership to be taken to form a vehicular access to the foodstore. An improved access for the rugby club will also be created that will be a shared junction with the foodstore and existing gym and apartments, and a small area of land will be transferred to the Rugby (formerly part of the former restaurants car park) to square off their site. The rugby club is supportive of the proposal.

The area of playing field that will be lost to the development is approximately 1,440sqm. It is proposed to transfer a small parcel of land that is currently part of the former restaurant car park to the rugby club. This area is approximately 162sqm which would result in the overall loss of 1,278sqm of playing field land. This area is not presently used for any formal playing pitch, with the two existing rugby pitches capable of being retained.

Sport England Exception policy E4 relating to the loss of playing fields requires that:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and*
- of equivalent or greater quantity, and*
- in a suitable location, and*
- subject to equivalent or better accessibility and management arrangements.*

In this case, the proposal involves qualitative improvements to the existing rugby pitches including a review of existing ground conditions and turf, ball stop fencing in the form of a continuous dark green, 3 metre high Paladin fence along the proposed foodstore/rugby club boundary based on appropriate ball trajectory analysis, two new 15 metre high, LED flood lighting columns and the inclusion of a new eco drainage channel as part of the proposed new rugby club access road which would link directly into Aldi's drainage system. This is considered to represent an improvement, given that the existing rugby club access does not benefit from any drainage and water is therefore likely to run onto the surrounding playing fields.

It should also be noted that there is a contractual obligation for Aldi to complete these works in order to acquire the land needed for the proposal. Moreover, the playing fields and sport facilities are not presently owned by the clubs that rely on, but by a third party. However, the structure of the land deal between Aldi and this third-party means that when Aldi acquires the small portion of playing field land that it requires to deliver the foodstore scheme, the remaining playing field land and buildings will be gifted to the clubs. The land deal, triggered through the granting of planning permission, would therefore result in the sports clubs no longer paying annual rent to a third-party. This means that these funds can instead be spent on the continued maintenance and improvement of their sports pitches and wider facilities. This is a clear and significant long-term benefit of the proposed redevelopment.

On this basis, it is considered that as no sports pitch will be lost, coupled with the qualitative improvement offered, there will be no negative impact upon sports provision or the clubs that utilise the facilities.

Waste Management

The application includes a waste management strategy which indicates a dedicated bin storage area within an internal, back of house area to the rear of the store.

The proposed bin store provides capacity for all waste streams and demonstrates sufficient capacity for the required number of general waste and recycling receptacles based on the volume of calculated waste. The bins will be collected by Aldi's servicing vehicles as part of the same process through which goods are delivered. The majority of waste will entail recyclable cardboard and plastic which is to be segregated ready for recycling. Food waste is to be stored and collected separately.

In terms of collection bins are to be wheeled by staff directly onto servicing vehicles through a dock leveller system. The store will use private, 16.5 metre articulated vehicles are shown to be able to satisfactorily access and egress the site.

Environmental Health have reviewed the submitted, indicative arrangement and consider it to be acceptable in principle. A condition has been included which requires the submission and agreement of a more detailed strategy to include the number and size of receptacles for each waste stream, as well as for future compliance with the agreed strategy.

Landscaping and Trees

The site predominantly comprises hard landscaping with scattered trees within a small grassland area to north-western corner of the site. The northern boundary outside of the site is heavily treed.

It is proposed that trees to the north-western corner are removed to facilitate parking spaces and the site access road. The trees are clustered in 4 groups and comprise approximately 13 semi-mature, Goat Willow and 7 Silver Birch trees.

In mitigation and following receipt of a revised landscaping proposal involving further tree planting, the number of trees proposed across the scheme has been increased to twenty-six. This has been achieved by more dense tree planting on landscaping strips previously proposed and a further strip of landscaping. Due to site constraints involving an easement for the drain beneath the site and also infrastructure below ground, further tree planting is unlikely to be possible without losing parking spaces.

The landscaping incorporates tree planting around the site and along the access road and site boundary with the rugby club. Further planting, including a hedgerow and ornamental shrub planting is proposed to the site frontage adjacent to Victoria Avenue East which both screens the car park and would lead to visual amenity benefit.



Proposed landscaping

It is considered the proposed landscaping scheme offers a robust, integrated approach in contrast to existing provision and would result in a more planned and visually attractive environment with no net loss of trees or bio-diversity.

Ecology

The site is considered to be of low ecological significant. Greater Manchester Ecology Unit were consulted as part of the application process. No significant ecological issues are raised.

It is accepted that the proposed landscaping has the potential to achieve no net loss of bio-diversity dependent on the planting schedule and the impact is considered satisfactory if all trees and hedgerow are locally native.

Flood Risk/Surface Water Drainage

The application site is located wholly in flood zone 1 '*low probability of flooding*'.

In line with the Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, the applicant has prepared a Flood Risk Assessment and Outline Drainage Strategy.

This statement has been considered by the City Council's Flood Risk Management Team who advise that conditions should be included which require the submission of further design details and details of a clear adoption policy to ensure effective

management and maintenance of the scheme thereafter. If these measures are successfully implemented, the strategy is in principle considered acceptable.

In addition, sewer infrastructure has been identified under the site involving a 300-450mm diameter combined sewer extending from north-west to south-east beneath the northern side of Victoria Avenue East and a 300mm diameter combined sewer extending from north-west to south-east beneath the southern side of Victoria Avenue East. The Thirlmere Aqueduct water main also extends across the site necessitating a 10 metre wide easement which has been accommodated within the proposed development.

United Utilities have liaised with the applicant during the design stage and have ultimately provided no objection in principle to the proposed development provided a condition is included which relates to the protection of the infrastructure assets. An appropriate condition has therefore been included.

Air Quality

The application has been accompanied by an Air Quality Impact Assessment which seeks to demonstrate that the proposal is compliant with the air quality requirements of the Core Strategy.

The assessment includes a qualitative construction phase assessment including dust emissions and also the impact during the operational phase, taking into account exhaust emissions from road traffic generated by the proposal.

The assessment demonstrates there would be no significant impact to air quality which will arise from the proposed development. Through the use of good practice control measures and suitable mitigation the proposed development is not anticipated to result in harmful air quality impacts. Mitigation involves dust dispersal control during construction and the provision of a travel plan, cycle spaces and electric vehicle charging points during the life of the development.

Environmental Health have reviewed the submitted assessment and consider that if the mitigation measures are adopted, air quality is not considered to be a constraint to development.

Ground Conditions

Whilst a Phase 1 Desktop Study was submitted as part of the application, the conclusion of which is accepted by Environmental Health, it is advised that details and recommendations for the scope of the ground investigation and gas assessment be provided prior to the Phase II investigation being conducted. An appropriate condition has been included which requires the submission and approval of a more detailed site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

Crime and Security

The proposed development has been designed with crime prevention and safety fully in mind with measures to be incorporated which will reduce opportunities for crime. Such measures include building and site design that promotes natural surveillance, bollards in front of glazed areas, external lighting, CCTV, alarm systems, well maintained landscaping, enclosed servicing areas and security shutters.

The application is accompanied by Crime Impact Statement which has been reviewed by Greater Manchester Policy (Design for Security). It is considered that provided the physical security measures detailed within the statement are implemented, the proposed development is acceptable from a crime and security perspective.

In order to ensure the appropriate design measures are introduced an appropriate condition has been included.

Climate Change

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The site is situated within a highly sustainable location with excellent access to a range of amenities, transport services and a residential neighbourhood which the proposed use is largely intended to serve, therefore reducing the distance needed to travel.

The site is situated within an existing residential neighbourhood, where existing infrastructure and services can be utilised. It is believed therefore that the proposal harnesses the objectives of sustainable development as advocated by the National Planning Policy Framework (NPPF), which seeks to provide development in sustainable locations, which will support strong, vibrant and healthy communities and contribute to building a strong, responsive and competitive economy.

In terms of the environmental credentials of the proposed development, the application is supported by an Environmental Standards Statement which highlights a fabric first approach with U values, design air permeability and ventilation targets all bettering the appropriate building regulations.

The development is to incorporate air source heat pumps, LED lighting and is to incorporate many sustainability and carbon reduction measures both during construction and once completed which accord with the Council's policy requirements concerning environmental standards.

In addition, the proposed store will adopt a travel plan to promote sustainable transport choices and also includes the provision of electric vehicle car charging spaces within the car park.

A condition has been included which will require verification as to environmental standards achieved, as well more conditions relating to the implementation of a travel plan and electric vehicle charging provision.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part of the city, a condition is included which requires the submission and approval of a construction management/demolition plan which details amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Conclusion

The proposed development would make efficient use of a previously developed site, to provide increased shopping choice for the local population, whilst contributing to the local economy through the creation of jobs.

The applicant has demonstrated that given the out of centre location of the site, there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable. The proposal would not have any unacceptable impacts, either individually or cumulatively with completed or approved schemes and the proposal is appropriate in terms of its scale and function to its location.

It is considered that the proposal would uplift the appearance of the site and is unlikely to lead to any negative impacts in terms of the loss of adjoining playing field or to residential amenity and the operation of the local highway.

On this basis, the proposal is considered to accord with the aforementioned planning policy and guidance and there are no material considerations to indicate otherwise.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Approve

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Conditions to be attached to the decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following, revised drawings and documents received by the City Council as Local Planning Authority on 2 September 2022.

6223 BOL New Moston M_03 CGI_02A - Computer Generated Impact
16223BOL- New Moston - DAS01C - Design and Access Statement
16223BOL-100D - Proposed Site Plan 1-250@A1 - Proposed Site Plan (site only)
16223BOL-101D - Proposed Site Plan 1-1000@A3 - Proposed Site Plan (including sports field)
16223BOL-105A - Proposed Boundary Treatment Plan - Boundary Treatments Plan
16223BOL-106B - Proposed Street Scene Elevations - Street Scene Elevations
16223-VL-L01C - Landscape Plan_A1 - Landscaping Plan

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) No above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

4) Prior to the commencement of development, a construction management and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include;

- Measures to control noise and vibrations;
- Dust suppression measures;

- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) (a) Prior to the commencement of above ground works, details of a local labour agreement in order to demonstrate commitment to recruit local labour for operational element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved document shall be implemented as part of the occupation of the development. Within six months of the first occupation of the development, details of the results of the scheme shall be submitted for consideration.

Reason - To ensure the applicant has demonstrated a commitment to recruiting local labour, pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy.

6) The retail unit (Class E) hereby approved shall not be open outside the following hours:-

08:00 to 22.00 hrs Monday to Saturday;
10.00 to 17.00 hrs Sundays.

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

7) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.00 to 22.00 hrs Monday to Saturday;
09.00 to 17.00 Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

8) Prior to the retail unit hereby approved becoming operational, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as Local Planning Authority. The NMP shall include an assessment of noise from all activities associated within the loading bay and service yard. Where applicable, the noise assessment should take account of multiple noise sources operating simultaneously and report the cumulative impact. The noise impact of the development should be controlled to the criteria set out in the City Council's Planning and Noise Technical Guidance.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

9) Notwithstanding details submitted, the retail unit hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

10) The development hereby approved shall be implemented in accordance with the submitted Phase I Geo Environmental Desk Study prepared by Earth Environmental Geotechnical Ltd dated March 2020 (Ref: A3469-20) received by the City Council as Local Planning Authority on 4 April 2022. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

11) When the development commences, the development shall be carried out in accordance with a previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. No occupation of the development shall take place until the completion/verification report is submitted to and approved by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) The development hereby approved shall only be implemented in broad accordance with the physical security specifications and resolution of layout issues outlined within sections 3.3 of the submitted Crime Impact Statement (Ref:2021/0574/CIS/01 - version A) dated 24 December 2021, received by the City Council as Local Planning Authority on 8 March 2022. The specific measures shall be agreed in writing with the Local Planning Authority prior to the commencement of above ground works and implemented prior to the retail unit being first brought into use.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

13) Notwithstanding details submitted, the retail unit hereby approved shall be occupied until space and facilities for staff and visitor bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning authority. The bicycle parking shall be secure and weatherproofed and shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

14) The landscaping scheme incorporating replacement tree planting shown on drawing referenced 16223-VL-L01C - Landscape Plan_A1 -received by the City Council as Local Planning Authority on 2 September 2022 shall be implemented in full prior to the first occupation of the unit hereby approved. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the City Council as Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

15) Prior to first occupation of the retail unit hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

16) If the demolition hereby approved does not commence before 30 April 2023, the building to be demolished shall be resurveyed for bats and the findings submitted to and agreed by the City Council as Local Planning Authority. Demolition shall only be carried out in accordance with the agreed details.

Reason -To ensure bats are protected from demolition works, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

17) Notwithstanding details submitted, a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the units hereby approved. In this condition a Travel Plan means a document which includes:

- (1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
- (2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
- (3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
- (4) Measures for the delivery of specified travel plan services; and measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (2) above shall be submitted to the City Council as local planning authority for approval. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

18) The boundary treatment shown on drawing referenced 16223BOL-105A - Proposed Boundary Treatment Plan - Boundary Treatments Plan received by the

City Council as Local Planning Authority on 2 September 2022 shall be implemented in full prior to the first occupation of the retail unit hereby approved.

Reason - In the interests of security and visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

19) The electric vehicle charging points shown on drawing referenced 16223BOL-100D - Proposed Site Plan (site only), received by the City Council as Local Planning Authority on 2 September 2022, shall be installed and operational prior to the retail unit hereby approved being occupied and shall be retained thereafter.

Reason - In the interest of air quality, pursuant to policies DM1 and EN16 of the Manchester Core Strategy.

20) The accessible parking spaces shown on drawing referenced drawing referenced 16223BOL-100D - Proposed Site Plan (site only), received by the City Council as Local Planning Authority on 2 September 2022, shall be implemented prior to the retail unit hereby approved being occupied and shall be retained thereafter.

Reason - To ensure sufficient accessible car parking provision, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) Notwithstanding details submitted, prior to commencement of development (excluding demolition) a scheme for surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

In order to avoid/discharge the above drainage condition the following additional information has to be provided:

- Maximised integration of green SuDS components if practicable, to compensate for the proposed loss of bioretentive features on-site. An appraisal of green SuDS components demonstrating maximised integration should be submitted;

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment i.e. at least a 50% reduction in runoff rate compared to the existing rates for brownfield areas of the site, and greenfield rates for greenfield areas of the site, as the site is located within Conurbation Core Critical Drainage Area. Brownfield rates

shall be calculated from existing drainage where feasible

- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;

- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same

event, but never to exceed the runoff volume from the development site prior to redevelopment;

- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;

- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;

- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required;

- Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff

rates. An email of acceptance of proposed flows and/or new connection will suffice.

- Where surface water is connected to ordinary watercourse, any works within or adjacent to the watercourse that would affect it would require consent from Manchester City Council as Lead Local Flood Authority;

- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or

new connection will suffice;

- For sites where proposed development would cause unusual pollution risk to surface water (large car park areas (>50 parking spaces) or industrial estates), evidence of pollution control measures (preferably through SuDS) is required.

- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

22) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

23) No construction shall commence (including any earthworks) until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey that identifies the exact location of the water main, the potential impacts on the water main from construction activities (including the construction compound), the impacts post completion of the development on the water main infrastructure within the red line boundary and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water main both during construction and post completion of the development.

Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

Reason - In the interest of public health and to ensure protection of strategic water mains, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

24) a) Any externally mounted ancillary plant, equipment and servicing to be installed shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to its installation, the scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved verification report shall be submitted to and approved in writing by the City Council as Local Planning authority to validate

that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

25) The building hereby approved shall be acoustically insulated and treated to limit the break-out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before the use commences.

b) Prior to occupation of the building hereby approved a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.

26) Prior to the commencement of above ground works, full details of all necessary off-site highway works in accordance with the works detailed in drawing 562-01/GA-01 Rev X, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- Closure of the existing vehicular access off Victoria Avenue East and reinstatement of full height kerbs and footway;

- Provision of new site access in the form of T junction along with associated road markings, road reconfiguration and right turn bay along Victoria Avenue East;

- Provision of a Signalised pedestrian crossing on Victoria Avenue East;

- Extension of existing pedestrian guardrail;

- Provision of a staggered Puffin crossing on Victoria Avenue East;

- Provision of traffic monitoring CCTV at Greengate roundabout in accordance with the information contained in the CRA Transport Assessment (ref: 562-01/TA01 dated 16th November 2021);

-Reinstatement of footway for any redundant vehicular crossovers;

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation.

Reason - To encourage walking to the site and in the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

27) Notwithstanding details submitted, prior to the first occupation of the retail unit hereby approved, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the number and frequency of deliveries/collections, vehicle sizes, delivery times, noise management, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved uses are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

28) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by BWB1(Ref: AMM-BWB-ZZ-ZZ-RP-LA-0001_AQA_S0_P02) dated December 2021, received by the City Council, as Local Planning Authority on 8 March 2022.

Reason - To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to policy EN16 of the Manchester Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

29) The development hereby approved shall be carried out in accordance with details contained within the Environmental Standards Statement produced by Watt Energy and Consulting Engineers dated 19 November 2021 and received by the City Council as Local Planning Authority on 8 March, A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

30) a) No development shall commence until the following documents have been submitted to and approved in writing by the City Council as Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field equating to 162sqm and the proportionate pitch improvements to North Manchester Rugby Club to compensate for the loss of 0.14ha of open space, which identifies constraints which could adversely affect playing field quality. The assessment should be carried out by a suitably qualified sports turf specialist; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a proportionate, detailed scheme to address any such constraints will be prepared. The scheme shall include a plans, written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a timetable of implementation.

(b)The approved scheme shall be carried out in full and in accordance with the approved timetable of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

31) Prior to first occupation of the retail store hereby approved the ball stop fencing shown with the following documents shall be implemented to the full satisfaction of the City Council as Local Planning Authority and shall be retained thereafter:

16223BOL-105A - Proposed Boundary Treatment Plan;
16223BOL-108 - Proposed Paladin fencing detail.

Reason - To ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

32) Notwithstanding details submitted, prior to the installation of the floodlighting to the rugby pitch, full details, including light spillage analysis shall be submitted to and approved by the City Council as Local Planning Authority. The agreed floodlighting shall be implemented prior to first occupation of the retail store hereby approved to the full satisfaction of the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policies DM1, SP1 and EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

33) If any lighting at the development, including the neighbouring floodlight when illuminated, causes glare or light spillage which in the opinion of the Council as Local Planning Authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once

approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies DM1 and SP1 of the Manchester Core Strategy,

34) Prior to first occupation of the retail store hereby approved the drainage to the rugby club access road shown on drainage layout referenced 9104-SWF-XX-XX-DR-S-9006, received by the City Council as Local Planning Authority on 22 August 2022 shall be implemented in full.

Reason - To ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

35) The retail foodstore (Class E) hereby permitted shall have a maximum Gross Internal Area of 1,884 sqm and a maximum net sales area of 1,331 sqm. The sales area shall be used primarily for the sale of convenience goods, with a maximum of 300 sqm used for the sale of 'comparison goods'.

Reason - To protect the vitality and viability of nearby town centres, having regard to Policy C9 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 133148/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Sport England
Highway Services
Environmental Health
MCC Flood Risk Management
Work & Skills Team
Greater Manchester Police
Greater Manchester Ecology Unit
The Coal Authority

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Sport England
Highway Services
Environmental Health
MCC Flood Risk Management
Work & Skills Team
Greater Manchester Police
Greater Manchester Ecology Unit
The Coal Authority

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